

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 19, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ALEXIS H.,

v.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL
SECURITY,¹

Defendant.

No. 1:20-CV-3209-JTR

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 18. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Joseph J. Langkamer represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 6. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 18**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g).

¹Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi is substituted for Andrew M. Saul as the defendant in this suit. No further action need be taken to continue this suit. *See* 42 U.S.C. § 405(g).

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1 On remand, the Appeals Council will instruct the Administrative Law Judge
2 to further evaluate the medical opinions and the prior administrative medical
3 findings. The Administrative Law Judge shall further develop the record as
4 necessary, offer Plaintiff the opportunity for a new hearing, and issue a new
5 decision.

6 2. **Judgment shall be entered for PLAINTIFF.**

7 3. Plaintiff's Motion for Summary Judgment, **ECF No. 17**, is
8 **STRICKEN AS MOOT.**

9 4. An application for attorney fees and costs may be filed by separate
10 motion.

11 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
12 Order, forward copies to counsel, and **CLOSE THE FILE.**

13 DATED July 19, 2021.



A handwritten signature in black ink, appearing to be "M", is written above a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE